

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

David L. Anderson,

Civil No. 08-492 (DWF/SRN)

Petitioner,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Warden Ricardo Rios,

Respondent.

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David L. Anderson, *Pro Se*, Petitioner.

Michael L. Cheever, Assistant United States Attorney, United States Attorney's Office,  
counsel for Respondent.

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This matter is before the Court upon Petitioner David L. Anderson's ("Petitioner") objections to United States Magistrate Judge Susan Richard Nelson's Report and Recommendation dated February 27, 2008, recommending that Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241 be dismissed for lack of jurisdiction.

The Court has conducted a *de novo* review of the record, including a careful review of the specific objections of Petitioner, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Petitioner's objections.

Based upon the *de novo* review of the record, including the specific objections of Petitioner, and all of the arguments and submissions of the parties, and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

**ORDER**

1. Petitioner David L. Anderson's objections (Doc. No. 4) to United States Magistrate Judge Susan Richard Nelson's Report and Recommendation dated February 27, 2008, are **DENIED**.

2. United States Magistrate Judge Susan Richard Nelson's Report and Recommendation dated February 27, 2008 (Doc. No. 3), is **ADOPTED**.

3. Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241, (Doc. No. 1), is **DISMISSED** for lack of jurisdiction.

Dated: March 19, 2008

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court